326 IAC 20-25
Indiana Styrene Rule

Questions & Answers: March 7, 2001

This is a compilation of questions and answers concerning interpretations of Indiana Styrene Rule. For further confidential compliance assistance, contact Karen Teliha of IDEM's Compliance and Technical Assistance Program at 800-988-7901 or 317-233-5555.

Although every effort has been made to ensure accuracy of this information, IDEM cannot guarantee that it is completely free of any errors or omissions. The statements in this fact sheet are intended solely as general guidance. It is ultimately the responsibility of the owner and operator to ensure that the facility complies with all applicable regulations. Owners and operators may wish to seek advice from independent environmental professionals on circumstances of their facility before making compliance decisions. This fact sheet is not intended, nor can it be relied upon, to create any rights enforceable by any party in litigation with the Indiana Department of Environmental Management. Manufacturers should refer to 326 IAC 20-25 and the Indiana Register, which will list any proposed and/or final amendments to Rule 25.

APPLICABILITY (Section 1)

1. Who is subject to this rule?

   To be subject to this rule, you must meet ALL of the following:
   - *Must have a PTE of 10 tpy of any one HAP or 25 tpy of any HAP (Basically means you are a Title V, Part 70 source)*
   - *Manufacture reinforced plastics composites or watercraft*
   - *Use an open molding process*
   - *Have styrene emissions greater than or equal to 3 tpy (actual emissions)*

2. When does the rule go into effect? When is the effective date of the rule?

   *The effective date is **March 7, 2001**.*

3. When must I be in compliance?

There are different compliance dates for several sections of the rule; as outlined below:

Between (Feb. 5 and April 6, 2001)	*Train or Evaluate all employees hired prior to March 7, 2001.* *If an evaluation indicates retraining is needed, you must retrain within 15 days of the date of the evaluation.*
March 7, 2001	*Train new employees (those hired on or after March 7, 2001, within 15 days of hiring.*
March 7, 2001	*Begin keeping records of trained and evaluated employees.*
March 7, 2001	*Meet work practice standards* ❑ *Appropriate pressures for non-atomizing equipment (be sure they do not atomize)* ❑ *Spraying solvents used during cleanup and resin changes into solvent collection containers, close when not in use* ❑ *Closed containers (See Section 4 of the Rule)** ❑ *Covered Containers (See Section 4(7) of the Rule)** ❑ *Store clean-up rags in closed containers.* * See questions 28, 31, 32 and 33 for additional guidance.
June 1, 2001	*Submit Initial Notification Report (can use IDEM Form)*
January 1, 2002	*Source meets emissions standards (Note: Some averaging methods require prior approval from IDEM, therefore you will need to apply for these approvals before the 1-1-2002 deadline.)* ❑ *compliant resins or equivalent* ❑ *compliant gel coats or equivalent* ❑ *compliant application equipment or equivalent* ❑ *compliant cleaning operations* *(**Note**: Some averaging methods require prior approval from IDEM, therefore you will need to apply for these approvals before the 1-1-2002 deadline.* *Source starts record keeping program to document compliance with Section 3 of the rule. (could include the following)* ❑ *purchase orders* ❑ *invoices* ❑ *Material Safety Data Sheets (MSDS)* ❑ *Certified Product Data Sheets (CPDS)* ❑ *Calculations* ❑ *Any other records to confirm compliance*
March 1, 2002	*Submit Initial Statement of Compliance (can use IDEM form)*

4. How will the Indiana styrene rule requirements be incorporated into a source's operating permit? When does it need to be done?

   Sources are required to submit an initial statement of compliance stating the methods used to achieve compliance with 326 IAC 20-25 before March 1, 2002. After IDEM, OAQ receives the initial statements of compliance, IDEM, OAQ will reopen permits that have 3 or more years left in their term after the emission standards are effective (i.e., permits that won't expire until after January 1, 2005) in order to incorporate the styrene rule provisions. IDEM, OAQ will incorporate the styrene rule provisions into permits that will expire prior to January 1, 2005 upon permit renewal. If a source requests a source or permit modification prior to the time that the styrene rule provisions are incorporated into its permit, the styrene rule provisions can be incorporated at the time of the modification. ***It should be noted that regardless of whether or not the styrene rule provisions are included in a source's permit, the source must comply with the styrene rule if it is applicable.***

5. How will the federal FRP and Boat MACT effect the Indiana rule?

   Federal standards would take precedence, but until the state rule is amended or repealed, sources would have to comply with both. Where the rules conflict, the more stringent requirement applies.

6. If a BACT or MACT source would rather comply with Section 3, Emission Standards, can they?

   The BACT rules in 326 IAC 2-2-3 (Control Technology Review; Requirements) and 326 IAC 8-1-6 (New Facilities; General Reduction Requirements) and the MACT rule in 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants) are still rules that could be applicable. These BACT and MACT rules will continue to apply to sources that are currently subject to these rules and will continue to apply to new sources in accordance with the applicability sections of these rules. The new Indiana styrene rule was placed in 326 IAC 20-25, and it contains different requirements than the BACT and MACT rules. The only exemptions provided by 326 IAC 20-25 that regard BACTs and MACTs are exemptions in accordance with 326 IAC 20-25-3(e) that allow a source to postpone the applicability of the emission standards in 326 IAC 20-25-3 for those emissions units that received a revised BACT after June 28, 1998 and exemptions in accordance with 326 IAC 20-25-3(f) that exempt new or reconstructed emissions units subject to 326 IAC 2-4.1 from complying with the emission standards in 326 IAC 20-25-3.

   BACTs and MACTs are determined on a case-by-case, source-specific basis for either VOCs or HAPs, respectively. 326 IAC 20-25 was only developed to address styrene and other HAP monomer emissions from sources in Indiana that are subject to the applicability of 326 IAC 20-25. When a BACT or MACT determination has been issued or is issued for an emissions unit and the styrene rule applies to that emissions unit, the

source will have to comply with the most stringent requirements for that emissions unit.

DEFINITIONS (Section 2)

7. In the definition of non-atomized, IDEM uses a distance of 3 inches, does this have to be actually measured?

   No, it is determined visually.

8. The ASTM standard for shrinkage listed in the rule is no longer available. What should I use?

   This standard is available but because it is not frequently used, you may need to provide a copy to your lab. For a copy call Karen at 800-988-7901.

9. The non-atomized application equipment I use is not listed under the definition of non-atomized. Do I need to obtain approval from IDEM to use this equipment and to use the non-atomized emission factors?

   As long as the equipment meets the definition of non-atomized, you do not need to obtain IDEM approval to use the equipment and to receive credit as a non-atomized technology.

EMISSION STANDARDS (Section 3) (January 1, 2002)

Exemptions (subparts e and f)

10. Can I be exempt from this entire section?

   Yes, it is possible to be exempt from Section 3 ***only****, but you still would be required to comply with the rest of the rule (Sections 4, 6, 7, and 8).*

   To be exempt from Section 3, you must fall into one of the following categories:

   1. *New source toxics control (326 IAC 2-4.1-1) MACT*
      - *My source was constructed or reconstructed after July 27, 1997.*

   2. *You must answer yes to all the following:*
      - *I was issued a permit on or after June 28, 1998*
      - *I was issued a permit prior to March 7, 2001.*
      - *I obtained a revised BACT determination in the permit for emission units*

   If you fall into one of these two categories, then you are exempt ***only*** *from the requirements in Section 3 (Emission Standards) of the rule. You must comply with all other requirements: Section 4 (work practice), Section 6 (record keeping), Section 7 (reporting) and Section 8 (training).*

Emission Factors (subpart a)

11. How do I determine emission estimates?

*Use CFA's Unified Emission Factors for Open Molding of Composites, April 1999. Except the controlled-spray emission factors **cannot** be used unless IDEM has approved controlled spray in your permit. (Note: The federal MACT may not recognize controlled spray emission factors for any sources.)*

You may also use site specific values (if they are acceptable to IDEM and EPA)

12. The manufacturer of my application equipment says it emits less than the CFA emission factors indicate. Can I use the emission factors the manufacturer gives me from their tests?

You must use the CFA emission factors unless you have received IDEM approval to use something else.

If you would like to use a different factor for equipment at your source, you must receive IDEM approval (You will need to supply IDEM with sufficient data.)

13. If a source uses fluid impingement equipment to apply gel coat, what is the emission factor?

At this date, there are no approved emission factors for application of gel coat using fluid impingement systems. Use approved CFA factor or request a site-specific alternative emission factor (must provide documentation to IDEM). Eventually, as this technology develops, it is likely that there will be standard emission factors for non-atomized gel coat application.

14. A source uses a shrinkage-controlled resin for tooling. The tables in rule 20-25 list different limits for shrinkage controlled and tooling. Which limit applies?

The Shrinkage Controlled Resin limit applies. Shrinkage Controlled Resin is a separate category and does not specify production or tooling, therefore sources should use the limit for Shrinkage Controlled Resin regardless of how it is used. However, sources must be able to demonstrate (through testing) that the resin meets the definition of a Shrinkage Controlled Resin.

15. Is a material that is over the monomer limits in the rule by a few tenths of a percent compliant?

Yes, because the limits in the tables are not stated with decimal places, a material that is over by < 0.5% is compliant. However a material that is over by $\geq$ 0.5% in noncompliant.

For example: Production resin limit = 35% HAP monomer content. A production resin with total HAP monomer content of < 35.5% would be considered would be compliant. But a resin with a total HAP monomer content $\geq$ 35.5% would be non-compliant.

16. A source uses filled resins (containing > 35% filler by weight, as defined in the rule) or adds filler to their resins at < 35% by weight. How do they determine the correct emission factor?

The CFA emission factors calculate HAP emissions based on the weight percent HAP

monomer content prior to the addition of fillers (neat) and the application method. The source must determine the weight percent HAP monomer content prior to the addition of fillers. The emission factor is obtained from the CFA Unified Emission Factors Table based on this neat percentage of HAP.

17. A source uses filled resins (containing > 35% filler by weight, as defined in the rule) or adds filler to their resins at < 35% by weight. How do they calculate actual emissions when using fillers?

The emissions calculations should exclude filler. Filler should ***not*** *be included in the mass of resin applied (just as it is not include in determining weight percent HAP monomer content). Most sources will have records of resin used prior to addition of fillers. However, if filler is included in the resin records (usually because the resin is purchased already filled) the filler must be subtracted out, prior to calculating actual emissions. For example: (Tons filled resin applied - tons filler) x (EF in lb. HAP emitted/ton resin applied) = actual emissions*

18. A source adds HAP monomer to their resin or gel coat prior to application. What emission factor do they use?

They must recalculate the weight percent HAP monomer content and use it to look up the emission factor.

[(lb. HAP monomer in original material + lb. HAP monomer added) / (total weight of resin (or gel coat) as applied – weight of inert fillers)] x 100 = weight percent HAP monomer content. The weight of fiberglass mat or fiberglass roving is not included either.

If a source adds HAPs or VOCs that are not monomers & do not polymerize, they must either do site specific testing or assume that 100% of the material is emitted.

19. In determining HAP monomer content as applied, do I include the catalyst?

No. The weight of the catalyst is not included in determining the HAP monomer content, because although it is HAP, it is not considered a monomer. This means that sources using unthinned compliant materials do not have to calculate each material as applied to account for catalyst. Catalyst is completely excluded from the calculations.

20. The CFA Unified Emission Factors Tables provides a factor for controlled spray. Can we use this factor? Can we earn credit for controlled spray?

You must have IDEM approval.

21. What do I do with non-compliant resins, gel coats, and cleaning solvents I have on site?

If you apply resins in a category that does not require nonatomized application, the noncompliant resins may be used if they are applied nonatomized and the emissions are less than or equal to the emissions if compliant resin was applied. You may be able to use averaging until the noncompliant materials are used up.

Application Techniques (subparts b and c)

22. What types of spray equipment are considered to be compliant under the rule?

Non-atomized application equipment *must be used for the following categories:*

- *Production resin-specialty products*
- *Production resin-non-corrosion resistant unfilled*
- *Production resin, Class I, Flame and Smoke (non watercraft only)*
- *Tooling resin (watercraft only)*

The following types of application equipment can be used for all other categories not listed above:

- *Non-atomized Application*
- *Airless Spray Application*
- *Air-Assisted Airless Spray Application*
- *High-Volume Low-Pressure (HVLP)**

**HVLP spray means technology used to apply coating to a substrate by means of coating application equipment which operates between one-tenth (0.1) and ten (10) pounds per square inch gauge air pressure measured dynamically at the center of the air cap and at the air horns of the spray system.*

You can not use conventional air spray guns to apply resin or gel coat.

23. Does air assisted airless application equipment need to operate with a shaping air pressure of 10 psi to comply with the rule?

No, just HVLP. (By definition, if an HVLP gun is operating above 10 psi, it is no longer an HVLP gun. It will be considered an air-atomizing gun and will not be compliant.)

Averaging (subparts g and h)

24. What is a category? What am I allowed to average without needing IDEM approval?

Each individual line on Tables I and II are separate categories. Therefore, there are 12

categories for non-boat products and 7 categories for boat products. You may average within any category without IDEM's approval. However, if you need to average across categories (for example a tooling resin with a specialty product resin) you will need to apply to IDEM for approval.

25. How should a source apply for approval to do averaging pursuant to 326 IAC 20-25-3(h)? What will the approval involve? When does a source need to apply for approval?

There are two alternatives in 326 IAC 20-25-3(h) that require IDEM approval. The commissioner must approve each option prior to implementation by the source:

- *Enforceable alternative emission reduction techniques are allowed by 20-25-3(h)(1); and*
- *Averaging between categories in 326 IAC 20-25-3(a) (i.e., production gel coat and tooling gel coat) is allowed by 20-25-3(h)(2).*

A source must submit an application for a significant permit modification in accordance with 326 IAC 2-7-12(d) to request approval for either alternative. A significant permit modification is required because 326 IAC 2-7-12(b)(1)(C)(i) does not allow the approval of either alternative to occur with a minor permit modification. IDEM, OAQ has nine (9) months (270 days) to review and issue significant permit modification requests. A source should provide sufficient information in the application to allow IDEM, OAQ to evaluate the proposed alternative. A source ***cannot*** *implement a significant modification request until a significant permit modification is issued. Therefore, the source will have to plan in advance if it will use the averaging provisions or request an alternative operating scenario if the source might want to use the averaging provisions at a future date without having to wait for a significant permit modification at that time.*

If a source needs to make physical modifications to implement the alternative request, some level of source modification approval in accordance with 326 IAC 2-7-10.5 may be necessary. The source could apply for the source modification at the same time it requests the permit modification.

For approval of the enforceable alternative emission reduction techniques in 326 IAC 20-25-3(h)(1), IDEM, OAQ will determine if the proposed alternative emission reduction technique is at least equally protective of the environment as the emission standards in 326 IAC 20-25-3(a) through (d); perform an equivalency calculation to ensure that the same amount of styrene or less styrene is emitted by the proposed alternative method as if the emission limits in the rule were followed; and determine whether or not the proposed alternative is enforceable. If the proposed alternative is acceptable, IDEM, OAQ will revise the permit with a significant permit modification to include compliance determination, monitoring, record keeping, and reporting conditions as necessary to ensure compliance.

For approval of the averaging provisions in 326 IAC 20-25-3(h)(2), IDEM, OAQ will determine if the proposed emissions will exceed the emissions that would have occurred if each emission unit had met the requirements in 326 IAC 20-25-3(a) through (c), in accordance with

326 IAC 20-25-3(h)(2)(A). Then IDEM, OAQ will ensure that the source is proposing to use one of the techniques listed in 326 IAC 20-25-3(h)(2)(B). If the proposed monthly emissions averaging alternative is acceptable, IDEM, OAQ will revise the permit with a significant permit modification to include compliance determination, monitoring and record keeping conditions as necessary to ensure compliance, as well as the quarterly reporting requirement in 326 IAC 20-25-7(c).

26. What do I need to do to document compliance if I use non-atomized applicators to comply with a limit that does not require non-atomized? For example: the tooling limit is set at 43% HAP monomer content. I need to use some tooling resin that contains 48% but can apply it using non-atomized equipment.

All that is needed is a monthly calculation that the actual emissions are equal to or less than the allowable emissions. Two examples:

1. *All tooling resin used is <u>48%</u> HAP monomer and is applied with <u>nonatomized</u> equipment. Each month you must calculate the following:*

   (tons resin used)(EF non-atomized @ 48%) <u>≤</u> (tons resin used)(EF atomized @ 43%)

2. *Some tooling resin is 43% HAP monomer and is applied with atomized equipment. Some tooling resin is 48% and is applied with nonatomized equipment. Each month you must keep records of each resin applied, the application method and calculate the following:*

   (tons resin applied atomized)(EF atomized @ 43%) + (tons resin applied nonatomized)(EF nonatomized @ 48%) <u>≤</u> (tons resin atomized + tons resin non-atomized) x (EF atomized @ 43%)

27. My filled tooling resin does not meet the standard. Do I need prior approval to average tooling resins?

You can average within any category to meet the standard without prior approval from IDEM. (For example, if you use non-atomized application technology to apply the tooling resin and/or average with other compliant tooling resins, then approval is not required.)

If you are unable to average with a category, you must either switch to a tooling resin that does meet the standard or receive IDEM approval to average outside of that category.

Cleaning Operations (subpart d)

28. How does this rule effect my cleaning operations?

For routine flushing of resin and gel coat application equipment (such as spray guns, flowcoaters, brushes, rollers, and squeegees), the cleaning solvent must be HAP free.

*This does not apply to solvents used to remove **cured** resin or gel coat from application equipment. However, if you use HAP containing solvents to remove cured resin or gel coat, you must keep it stored in containers with covers and the covers must be kept closed.*

29. The rule states that cleaning solvent must contain no HAPs. My solvent supplier's MSDS/CPDS says the solvent contains <1% HAP. Will this satisfy the no HAP requirement?

The rule says, "For routine flushing of resin and gel coat application equipment such as spray guns, flowcoaters, brushes, rollers, and squeegees, a cleaning solvent shall contain no HAPs. This emission standard does not apply to solvents used for removing cured resin or gel coat from application equipment." No HAPs or HAP free means any solvent with less than 1% HAPs or less than .1% carcinogenic HAPs. Use the CPDS or MSDS from the manufacturer to document the amount of HAPs in your solvent.

If the solvent is a recycled solvent (see next question), it must contain less than 5% HAP by weight to be considered non-HAP containing.

30. I recycle or re-use cleaning solvents. To be no HAP, recycled solvents must contain less than 5% HAP by weight, are my recycled or reused solvents considered non-HAP containing. How do I document that my cleaning solvents meet this requirement?

Purchasing Recycled Solvents from an Outside Vendor

"Recycled cleaning solvents that contain less than or equal to five percent (5%) HAP by weight are considered to contain no HAP for the purposes of this subsection." This applies to recycled solvents that are purchased from an outside source. A MSDS, CPDS, or lab test results must be available for these materials. It must show the HAP content at less than or equal to five percent (5%) HAP by weight.

Recycling Solvents On-Site

Compliant solvents (those that were purchased containing no HAP or those recycled cleaning solvents purchased containing less than 5% HAP) that are reused or recycled within the plant (such as by using an on-site still), never need to be tested by the source.

Sources are only required to purchase compliant cleaning solvents. Sources that recycle/reuse cleaning solvents on site are not required to test the solvents to be sure they remain under the 5% HAP. However, they can not thin, dilute or intentionally add non-compliant solvents to new, reused, or recycled cleaning materials. For instance: a company is not to be allowed to add methylene chloride or other HAP to a solvent that is required to contain no HAP. If an inspector took a sample of the material and it tested greater than 5% HAP, IDEM would request that it to be removed from the plant.

If IDEM's test found evidence that non-compliant material was added, we could pursue legal action for it.

Note: You may **not use recycled material for thinning purposes unless you know the amount of HAP it contains (which means it must be tested.) You may **not** add new, recycled*

or reused HAP containing solvents to solvents that are required to be HAP free. You may add HAP free solvents to any other cleaning solvent.

WORK PRACTICE STANDARDS (Section 4) (March 7, 2001)

31. What is required in the work practice standards?

- *Appropriate pressures for non-atomizing equipment (be sure they do not atomize)*
- *Spray solvents during cleanup and resin changes into solvent collection containers******
- *Closed containers for:*
  - *all HAP containing materials*
  - *solvent clean-up rags*
  - *solvents that are sprayed into collection containers*
  - *HAP containing resins (production and tooling)*
  - *HAP containing gel coats (production and tooling)*
  - *HAP containing waste resins and gel coats*
  - *Cleaning materials, including waste materials*
  - *Any other HAP materials*
- *Covered containers for* ***mixing*** *Resin or gel coat in 55 gallon or larger containers*

****** *Note: Users of internal mix applicators as part of normal operation have to spray a few ounces of acetone through the gun to prevent the material from catalyzing during brief periods of inactivity throughout the day. This is not considered cleanup or a resin change, therefore, the rule does NOT require this material to be sprayed into a container. However, fire code may require this material to be sprayed into a container having a 2-inch cover of water.*

32. What is considered to be a closed or covered?

This rule does not define closed, covered or 'in use' therefore guidance is needed. The following guidance is based on rule 326 IAC 20-25 and Office of Land Quality Non-Rule Policy Document, Waste-0022-NPD. (OLQ document, Waste-0022-NPD, is available on the web at: http://www.state.in.us/idem/olq/publications/guidance/closed_containers.pdf*)*

These answers regarding closed and covered containers are guidance relating only to 326 IAC 20-25 and should not be considered an interpretation of OLQ document, Waste-0022-NPD. Nor is this guidance intended to insure compliance with any other environmental rules or RCRA requirements.

Under Rule 20-25, the primary intent of closed and covered requirements is to prevent the unnecessary emission of Hazardous Air Pollutants even if they are only a secondary contaminant to a non-hazardous cleaning solvent. Conservation vents or pressure relief valves to equalize pressure within containers are acceptable. Additionally, keeping containers closed whenever possible is simply a matter of good operating practice. Closed containers help protect ignitable

or reactive wastes from sources of ignition or reaction; help prevent spills; reduce the potential for mixing of incompatible wastes; and reduce potential direct contact of personnel with waste.

OAQ also recognizes and advocates the following basic tenets of responsible hazardous waste management:

1. *The transfer of contaminants from one media to another is inappropriate.*
2. *Evaporation of hazardous constituents is not appropriate treatment.*
3. *All Land Disposal Rules (LDR) apply to treatment of any hazardous waste stream.*
4. *Facilities are subject to all applicable provisions of other environmental and workplace regulations.*

The easiest way to clarify the requirements of Section 4 may be to examine the types of containers that may exist and the applicable requirements. A container may change categories during the time it is in your plant.

1. ***Resin or Gel Coat Mixing Containers**: A container is considered a "mixing container" only during the time it is used solely for mixing. For example, before you opened the container, it was a "storage container." While you are adding materials or inserting the mixer it is an "in use container." While you are actually mixing, it is a "mixing container." When you stop mixing, it will probably become a storage, treatment or "in use" container. Under this rule, there can be 2 categories of mixing containers. The requirement for covering a mixing container depends on which of the two categories the container falls under.*

   a) *Mixing capacity > 55 gallons: These must be covered with no visible gaps (a gasket or piece of rubber around the shaft would work) except when adding or removing material, or when inserting or removing mixing or pumping equipment.*

   b) *Mixing capacity < 55 gallons: These containers are not required to be closed or covered during mixing.*

   Note: A container that is being used in production is an "in use" container regardless of whether or not it has a mixer in it.

2. ***Storage Container**: Storage containers store material before or after using it. Storage containers must be closed.*

3. ***Waste Accumulation Containers**: These are storage containers that should be closed during most periods, but they may be open if an operator is filling or emptying the container. If the waste accumulation container is equipped with a screw-in funnel, OAQ will consider it closed if the funnel has a tight fitting lid (no visible gaps, holes, etc.) and if the container is still accumulating waste. After these containers are filled, they become storage containers (the funnel should be removed and replaced with a bung).*

4. ***"In use" container:** "In use" containers are not required to be closed or covered. "In use" containers are those that you are using in some manner for production. For instance, you may spray from 2 gel coat drums, each a different color, throughout the day. The drums*

have pumps, material feed lines or applicators attached to them. Even if you only spray from one drum at a time, the other does not have to be closed as long at it is "in use." Another example might be an acetone container that has a line to your applicator and is used for flushing throughout the day. It does not have to be closed between flushing, as long as the pump or feed line is in the container. However, if the container does not have a pump or a feed line in it and will not be used during that day's production, then it probably is not "in use" and should be closed.

(Continued on next page)

Containers used to collect solvent sprayed throughout the day or containers used to clean rollers throughout the day are considered to be 'in use' & do not have to be closed. If possible, they should be closed or covered when not used for an extended period of time. They must be closed at the end of the day.

5. ***Treatment Containers**: A container where resin or gel coat is allowed to catalyze. These are considered 'in use' containers. Therefore, OAQ does not require these containers to be closed during treatment.*

   Examples of a treatment containers:

   A Container of waste gel coat or resin that you are catalyzing for disposal.

   A Container that you spray catalyzed gel coat or resin into for color changes, etc. that must be allowed to catalyze before closing.

   National Fire Protection Act: NFPA-33 may require some containers to have a 2 inch cover of water.

6. ***Cured Resin or Gel Coat Removal-Containers** 326 IAC 20-25-3(d)(2): This section regulates equipment cleaning containers that contain HAP solvents **used** to remove cured resin or gel coat from the equipment. These containers must be covered. The covers must have no visible gaps and must be in place at all times, except while equipment is being placed into or removed from the container. Pursuant to 326 IAC 20-25-4(6)(D), before or after use in a "cured resin or gel coat removal-container" these HAP solvents must be **stored in a closed** container.*

   Remember: Rule 20-25 only allows usage of HAP-containing solvents to remove cured resin or cured gel coat.

   In general, IDEM recognizes that a traditional cover or lid is not always feasible under all circumstances. Some situations will be evaluated on a case-by-case basis to determine if the intent of the requirement is being met. Good professional judgement must be relied on in many cases.

33. How does covered container differ from closed container?

Closed means there is a tight-fitting lid, bung or cap designed specifically for the container. In most cases closed will mean that no hazardous material can escape from the container. Rule 20-25 requires closed containers for most situations. Covered means the opening of the

*container must be covered with a solid material, impervious to liquids and there can be no visible gaps. It does not have to be made specifically for the container. Covered is allowed for mixing containers and for HAP containing solvents used to remove **cured** resins and gel coats.*

Note: RCRA requirements may differ from this guidance.

34. Do we have to develop a work practice plan?

No. There is no requirement in this rule to create a work practice plan. Only that you implement work practice standards by March 7, 2001.

35. How do we document compliance with the work practice standards?

You do not need to document compliance with work practice standards. An inspector can visually check for compliance during an inspection. (By checking that containers are closed, checking that application equipment is not atomizing, etc.)

36. When do I have to comply with the work practice standards?

You must comply with the work practice standards by March 7, 2001. By that date, you should ensure that non-atomizing equipment is not atomizing as it sprays, you should be sure containers are closed, etc.)

TESTING REQUIREMENTS (Section 5)

37. Section 5 (c), last paragraph: What does "When a MSDS, a certified product data sheet, or other document specifies a range of values, the values resulting in the greatest calculated emissions shall be used for determining compliance with this rule" mean?

For all your calculations, you must use the worst case when a range is specified. So if an MSDS states the styrene content of your production resin is 34 to 36% by weight, the resin would be considered 36%. It would not be compliant with section 3 limits. MSDS, CPDS, etc. must be kept current.

38. If I use a control device for compliance, when must the initial compliance test be done?

On or before January 1, 2002.

RECORD KEEPING REQUIREMENTS (Section 6) (January 1, 2002)

39. In section 6, the rule says that on and after January 1, 2002, we must maintain records to establish compliance. Even though the rule became effective on March 7 2001, do we not have to start keeping records until January 1, 2002?

You are not required to meet the emission standards (compliant resins/gel coats/cleaning operations/application technology) until January 1, 2002. In addition, this is when the record keeping requirements for emissions standards come into effect.

*However, Section 8, Operator Training, became effective March 7, 2001. Therefore, training records **are required** to be kept by Section 8 **prior** to January 1, 2002. (Also, see the next question.)*

*You should retain a copy of the initial notification for your records, but you are **not required** to do so. There are no records to keep for the work practice standards section.*

If you are required to test under Section 5, the test must be performed prior to January 1, 2002 and you should keep a copy of the test results.

40. There appears to be a conflict between the record keeping requirements of Section 6 and Section 8. Section 6 says records are not required until 1-1-2002 but section 8 requires training records to be maintained and training requirements begin within 30 days of March 7, 2001. When do I begin keeping training records?

Contrary to Section 6, the record keeping requirements of section 8 (Training) apply on the effective date of the rule (March 7, 2001) because Section 8 applies on the effective date of the rule. Therefore, training records must be maintained as of March 7, 2001. Additionally, sources will need these records to be able to certify compliance in the "initial statement of compliance."

41. What should I be keeping track of?

Your records should document compliance with the requirements of this rule. Records could include:

- *Purchase orders*
- *Invoices*
- *MSDS*
- *CPDS*
- *Calculations*
- *Training records*
- *Copy of Initial Notification*
- *Copy of Initial Statement of Compliance*
- *Other records to confirm compliance*

42. How long should I keep these records?

You must keep the records for at least 5 years. You must also keep the most recent 2 years of data on site for an inspector to review. The remaining 3 years may be kept off site but must still be made available upon request by an inspector or agency. (You are not required to maintain records of prior training programs or former personnel)

43. Are electronic copies suitable?

Yes, as long as the inspector can review them during an inspection.

REPORTING REQUIREMENTS (Section 7)

44. What new reporting requirements does this rule require?

There are 3 new reports required as a result of this rule:

1. *An initial notification by June 1, 2001 (can use IDEM form)*
2. *An initial statement of compliance by March 1, 2002 (can use IDEM form)*
3. *Quarterly summary reports and supporting calculations (only required for those sources using **monthly** averaging that requires IDEM approval.) The quarterly reporting requirements would be specified in your permit.*

OPERATOR TRAINING (Section 8)

45. I already train my employees. Do I have to re-train everyone within 30 days of March 7, 2001?

You may evaluate all personnel hired before March 7, 2001 to determine if they need to be re-trained. You must document the results of the evaluation for each employee (indicate the date the evaluation occurred, indicate whether the employee performed satisfactorily or whether training was necessary). If training is necessary, you must train that employee within 15 days of the evaluation and you must document it according to the rule. All personnel hired on or after March 7, 2001 must be trained within fifteen (15) days unless exempted by subsection (4) of Section 8.*

** A written evaluation is not required and you do **not** need documentation of training that occurred prior to March 7, 2001.*

46. What are we required to train on?

The specifics of the training program are up to each source. However, you must cover the following topics:

- ✓ *Appropriate application techniques*
- ✓ *Appropriate equipment cleaning procedures*
- ✓ *Appropriate equipment setup and adjustment to minimize material usage and overspray*

47. What documentation will an inspector be looking for regarding training?

The inspector will want to review your current training program (training materials could include videos, computer programs, and overheads)

Your training program must include the following:

1. *A list of current personnel by name that are required to be trained, the dates they were trained or evaluated, and the date of the most recent refresher training.*
2. *Lesson plans for training courses including the initial and annual refresher training programs.*

48. When must our employees be trained under the operator training requirements?

For personnel hired before March 7, 2001: Trained or evaluated no later than April 6, 2001.

For personnel hired after the effective date of this rule: Within 15 days of hire UNLESS they meet all of the following:

a) The employee was trained less than 1 year ago (training is current).
b) The training occurred at a source subject to this rule.
c) There is written documentation of the training.

All personnel, requiring training, must be retrained annually (by calendar year). For example: For a person hired on June 1, 2001 and trained on June 10; June 10, 2001 becomes his or her training date. He or she must be retrained on or before June 10, 2002 regardless of any holidays, weekends, leap years, etc. This date is ***not*** *permanent! The retraining date is always 1 year from the most recent date of training.*

(Continued on next page)

Therefore, in the above example, if the employee trained on June 10, is retrained with all other plant personnel on January 7, 2002, his annual refresher training due-date changes from June 10, 2002 to January 7, 2003.

This allows sources to simplify training compliance by coordinating everyone's training to the same date. For new personnel, sources must be sure that they are trained or have documentation of appropriate prior training, and that their refresher training occurs within 1 year of their last training (not their hire date).

49. The rule mentions evaluating employees rather than training them. When are evaluations allowed?

Evaluations may only replace initial training for employees hired ***before*** *March 7, 2001. However, if the evaluation determined the employee needs training, then you must train the employee within 15 days of the evaluation.*

Evaluations are not allowed to replace annual refresher training.

Evaluations are not allowed for employees hired on or after March 7, 2001.

50. What job descriptions require training?

Anyone involved in resin and/or gel coat spraying is required to be trained. Including contract personnel.*

** Spraying includes all types of spray or spray-like application equipment. It does not include manual application or pressure fed rollers.*

51. Do temporary employees fall under the training requirements?

Yes, anyone who is involved in spraying resins and/or gel coats must be trained.

52. Who can train employees to satisfy the rule requirements?

Section 8(a)(2) states, "All personnel hired before the effective date of this rule shall be trained or evaluated by a supervisor within thirty (30) days of the effective date of this rule." Therefore, a supervisor must be involved in the initial evaluation or training of existing employees.

For employees hired after the effective date and for retraining there is no restriction on who can train, however the training must meet the goals of Section 8. (IDEM would hope that a trainer or supervisor, knowledgeable and experienced in proper application techniques would be used.)

53. What is an acceptable means of demonstrating successful completion of the employee-training program?

Passing a test and/or evaluation of employee performance.

54. Does operator training carry over from one company to another or from one division of a company to another division in the same company?

Yes, if it meets all of the following:

a) The employee was trained less than 1 year ago (training is current).

b) The training occurred at a source subject to this rule.

c) There is written documentation of the training.

For such personnel, the source must keep the documentation of the prior training. The required date of retraining is within 1 year of the date they were trained by the other owner or operator, ***not*** *the date they were hired.*

Regarding someone evaluated by a supervisor under Section 8(a)(2). An evaluation does not count as training. Therefore, an employee, hired before the effective date of the rule and evaluated pursuant to subdivision (2) is not considered to have been trained. If that employee leaves and is hired by another source, they must have training within 15 days of hiring, pursuant to subdivision (1).

55. What will happen if the compliance inspector determines the operator is not using the recommended spray application techniques?

Retraining will be required.

56. How is subdivision 4 of Operator Training going to be changed?

IDEM is currently working on changing this error in the rule to read as follows:

"(4) Personnel who have been trained by another owner or operator subject to this rule are exempt from subdivision ***(1)*** *if written documentation that the employee's training is current is provided to the new employer."*

*For purposes of applying and enforcing the rule, IDEM will be basing it on the way it **should** read as shown above.*

Miscellaneous Questions:

57. I have paint booths in my plant to paint FRP products. Do I have to train spray operators that only spray paint?

No, this rule only applies to your open-molding, FRP processes.

58. Do the applicator requirements in Section 3 apply to my paint booths?

No, but they may be subject to 326 IAC 8-1-6 (BACT).